

- 1 2. a top strut connected to said top edge of said shear-resisting
element, and disposed substantially parallel to said top plate of
said wall,
3. a bottom strut connected to said bottom edge of said
5 shear-resisting element,
4. a first chord connected to said first side edge of said
shear-resisting element, and
5. a second chord connected to said second side edge of said
shear-resisting element; and wherein
10 said shear-resisting element comprises a plurality of adjoining
structural panels disposed in a single plane.
11. The wall of claim 50, further comprising:
15 a. first and second anchor bolts that are anchored to said underlying
structural component;
b. first and second holdowns that receive and are connected to said
first and second anchor bolts, respectively, and are also connected to
said first and second chords, respectively.

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Remarks

By this amendment claims 1, 2, 9, 10, 19, 21-23, 26, 31 and 33-51
are pending in the application, the independent claims are 1, 36, 40, 44, 46
and 50.

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Prior Art

Applicants note that the examiner has not said that she has considered
the prior art filed in the parent application under MPEP 2001.06(b).

Applicants would appreciate knowing from the examiner whether the prior
30 art has been considered or whether Applicants should file an Information
Disclosure Statement to make the prior art of record.

Claim Rejection under Section 112

The examiner rejected all the pending claims under Section 112,
35 saying the element "component supporting said wall" was not positively
recited.

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1 All of the claims previously pending in the application have been
canceled, except claim 1 which has been amended to positively claim this
element.

All the independent claims added by this amendment also positively
5 claim this element.

Double Patenting

A terminal disclaimer is being filed together with this Amendment.

10 New Claims

By this amendment, Applicant is adding claims 35 — 51. No new
matter is added is by these amendments.

Claim 35 incorporates elements or limitations originally disclosed in
claim 15.

15 Claim 36 incorporates elements or limitations originally disclosed in
claims 1, 3 and 4.

Claim 37 incorporates elements or limitations originally disclosed in
claim 31.

20 Claim 38 incorporates elements or limitations originally disclosed in
claim 15.

Claim 39 incorporates elements or limitations originally disclosed in
claim 15.

Claim 40 incorporates elements or limitations originally disclosed in
claims 1, 3 and 4 and as disclosed in the specification at page 8, line 20.

25 Claim 41 incorporates elements or limitations originally disclosed in
claim 31.

Claim 42 incorporates elements or limitations originally disclosed in
claim 15.

30 Claim 43 incorporates elements or limitations originally disclosed in
claim 15.

Claim 44 incorporates elements or limitations originally disclosed in
claims 1, 15, and 22.

Claim 45 incorporates elements or limitations originally disclosed in
claim 23.

35 Claim 46 incorporates elements or limitations originally disclosed in
claims 1, 24 and 25.

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1 Claim 47 incorporates elements or limitations originally disclosed in
claim 25.

Claim 48 incorporates elements or limitations originally disclosed in
claim 15.

5 Claim 49 incorporates elements or limitations originally disclosed in
claim 5.

Claim 50 incorporates elements or limitations originally disclosed in
claims 1 and 33.

10 Claim 51 incorporates elements or limitations originally disclosed in
claim 15.

Conclusion

In view of the above, it is submitted that the claims are in condition
for allowance. Reconsideration and withdrawal of the rejections made by the
15 examiner is requested. Allowance of the claims at an early date is solicited.

The undersigned wishes to state that if the Examiner has questions
about this response, the undersigned would be most happy to try to answer
them on the telephone.

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Respectfully submitted,

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Reg. No. 22448__

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Date: July 10, 2002

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1 Amended Claims in Marked up Form

1. (Once amended) A wall designed to resist lateral forces imposed on a building incorporating said wall[, said building having an underlying structural component supporting said wall], said wall comprising:

5 a. an underlying structural component that is part of said building, and a bottom plate resting on and connected to said underlying structural component of said building;

b. [means for connecting said bottom plate to said underlying structural component of said building;

10 c.] a plurality of vertically-disposed studs resting on and connected to said bottom plate;

[d. means for connecting said plurality of vertically-disposed studs to said bottom plate;]

15 c. [e.] a top plate resting on and connected to said vertically-disposed studs;

[f. means for connecting said top plate to said vertically-disposed studs;]

20 d. [g.] a shear-resisting assembly connected to said top plate and also connected to said underlying structural component and disposed between said top plate and said underlying structural component, said shear-resisting assembly including,

25 1. a planar shear-resisting element, said planar shear-resisting element having a proximal face and a distal face, a top edge, a bottom edge and first and second side edges, said shear-resisting assembly also including,

2. a top strut connected to [said proximal face near] said top edge of said shear-resisting element, and disposed substantially parallel to said top plate of said wall,

30 3. a bottom strut connected to [said proximal face near] said bottom edge of said shear-resisting element,

4. a first chord connected to [said proximal face near] said first side edge of said shear-resisting element, and

5. a second chord connected to [said proximal face near] said second side edge of said shear-resisting element[,]; and wherein

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1 fasteners having a threaded shank portion are inserted through said
top strut of said shear-resisting assembly and into said top plate to
connect said shear resisting assembly to said top plate

5 [6. means for connecting said top strut, said bottom strut, said
first chord and said second chord to said shear-resisting
element,

said top and bottom struts and said first and second chords forming a
supporting frame for said shear-resisting element;

10 h. means for connecting said shear-resisting assembly to said top
plate of said wall; and

i. means for connecting said shear-resisting assembly to said
underlying structural component of said building].

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